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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 21 OF 2022

Ram Kashinath Wagh and Ors.

...Petitioners

Versus

The State of Maharashtra

...Respondents

Mr.Vivek A. Salunkhe, Advocate for the Petitioners.

Ms.S.D.Shinde, APP for the Respondent-State.

**CORAM : REVATI MOHITE DERE &
S. M. MODAK, JJ.**

DATE : 6th OCTOBER 2022

P.C. :

1. After arguing for sometime, when the Court was not inclined to quash the case under its inherent jurisdiction under Section 482 of the Cr.P.C., the learned Counsel for the petitioners sought leave to withdraw the petition with liberty to file an appropriate application seeking discharge before the trial Court.

2. Petition is accordingly dismissed as withdrawn, with liberty as prayed.

3. If an application for discharge is filed by the petitioners, the learned Judge to decide the said application on its own merits, uninfluenced by the withdrawal of the petition.

4. All contentions of the petitioners are kept open.

5. We make it clear, that we have passed the aforesaid order having regard to the fact that the charge has not been framed in the said case till date.

6. Petition is accordingly disposed of.

7. All the parties to act on the authenticated copy of this order.

S. M. MODAK, J.

REVATI MOHITE DERE, J.